

**Notice of Allowability**

Application No.

10/777,200

Examiner

Donald L. Champagne

Applicant(s)

SEET ET AL.

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to TD filed 5 July 2006.
2. ☒ The allowed claim(s) is/are 2-70.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**DONALD L. CHAMPAGNE**  
**PRIMARY EXAMINER**

Donald L. Champagne  
Primary Examiner  
Art Unit: 3622

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 2-70 are allowed.
2. The following is an examiner's statement of reasons for allowance: The claims are allowed because they differ only in obvious ways from US patent US006725203B1 by the inventors, and an acceptable terminal disclaimer has been filed.
3. The claims are also allowable because the prior art by another does not teach or suggest *dynamically receiving* an advertisement to be inserted into electronic content and *displayed on flipping pages*. The closest US patent prior art by another is Ferrel et al. (US006199082B1) in view of Henckel et al. (US005463725A). This applies to all the independent claims 2, 8, 11, 12, 14, 15, 49 and 62.
4. *Dynamically receiving* would be understood by one of ordinary skill in the art to mean receiving an ad just as it was needed for presentation, so as to permit ad targeting, for example. Ferrel et al. teaches dynamically receiving an advertisement to be inserted into electronic content.
5. A "flipping page" display would be understood by one of ordinary skill in the art to mean a book-like display with facing pages shown and animated to show their progress as they are flipped or turned. Henckel et al. teaches a flipping page display.
6. No prior art was found to teach or suggest adding the flipping page display of Henckel et al. to the dynamic modification of electronic content taught by Ferrel et al.
7. Of some interest is Yoshimune et al. (US006438233B1), which teaches a turning page display that is somewhat similar to the flipping pages of Henckel et al., with the addition of advertising to said display (Fig. 42). Yoshimune et al. also teaches "dynamic images" (col. 10 line 35), but with a meaning of electronic download on a daily schedule (Fig. 38), not delivery just as the material is needed. Yoshimune et al. also teaches only single pages turning, not "a plurality of pages simultaneously flipping" as with the instant invention.
8. The closest non-patent prior art is E-Book Systems and the closest foreign patent prior art is JP 05011965 A. Both teach flipping pages, but neither teaches nor suggests dynamic insertion of advertising.

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9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L Champagne whose telephone number is 571-272-6717. The examiner can normally be reached from 8:30 AM to 7 PM ET, Monday to Thursday. The examiner can also be contacted by e-mail at [donald.champagne@uspto.gov](mailto:donald.champagne@uspto.gov), and *informal* fax communications (i.e., communications not to be made of record) may be sent directly to the examiner at 571-273-6717.
11. The examiner's supervisor, Eric Stamber can be reached on 571-272-6724. The fax phone number for all *formal* fax communications is 571-273-8300.
12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
DONALD L. CHAMPAGNE  
PRIMARY EXAMINER

Donald L. Champagne  
Primary Examiner  
Art Unit 3622

30 September 2006